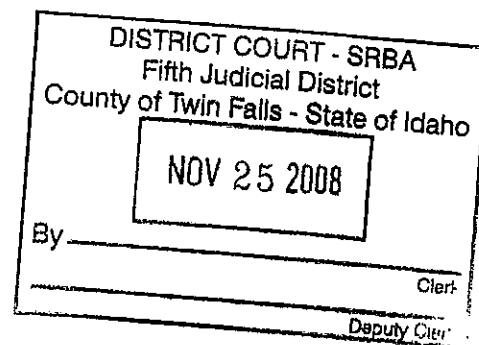


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NOV 28 2008

DEPARTMENT OF
WATER RESOURCES



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 67-11491
) and 67-14877

I. FINDINGS OF FACT

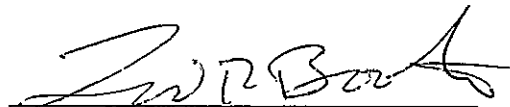
Notices of claim were filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of water right 67-11491. The elements of water right claim 67-14877 were reported in a *Director's Report for Late Claims*.

On March 20, 2008, IDWR filed an *Amended Director's Report* for water right 67-11491. No objections were filed to the *Amended Director's Report*, and the time for filing objections has expired. Accordingly there are no unresolved objections for water right 67-11491. As to water right 67-14877, no objections were filed to the *Director's Report For Late Claims* for this right, and the objection period has likewise expired.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water rights 67-11491 and 67-14877 be **decreed** with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

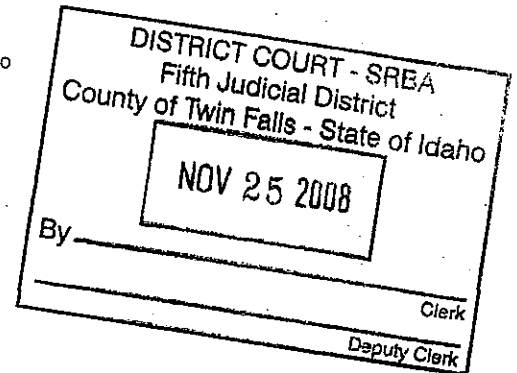
Dated Nov. 25, 2008


Theodore R. Booth
Special Master
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 67-14877



NAME AND ADDRESS: CHESTER LEO MADSEN
EUNICE MADSEN
KEVIN ANDREW MADSEN
2073 N GALENA RD
COUNCIL, ID 83612

SOURCE: WASTE WATER TRIBUTARY: SINKS

QUANTITY: 0.15 CFS
1.70 AFY

The quantity of water under this right for domestic and
stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/15/1961

POINT OF DIVERSION: T16N R01W S10 SWNE Within Adams County
SWNE
SWNE
SENE
SWNE
SWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.15 CFS
	Irrigation Storage	01-01 TO 12-31	1.70 AFY
	Irrigation from Storage	03-15 TO 11-15	0.15 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS
	Stockwater Storage	01-01 TO 12-31	0.50 AFY
	Stockwater from Storage	01-01 TO 12-31	0.02 CFS
	Wildlife	01-01 TO 12-31	0.15 CFS
	Domestic	03-15 TO 11-15	0.02 CFS
	Recreation	01-01 TO 12-31	0.15 CFS
	Aesthetic	01-01 TO 12-31	0.15 CFS

Domestic use is for external use only.

PLACE OF USE:	Irrigation	Within Adams County
	T16N R01W S10	SWNE 23.0
	23.0 Acres Total	
	Irrigation Storage	Within Adams County
	T16N R01W S10	SWNE
	Irrigation from Storage	Within Adams County
	Same as Irrigation	
	Stockwater	Within Adams County
	Same as Irrigation	
	Stockwater Storage	Within Adams County
	T16N R01W S10	SWNE
	Stockwater from Storage	Within Adams County
	Same as Irrigation	
	Wildlife	Within Adams County

PLACE OF USE (continued)

Same as Irrigation	
Domestic	Within Adams County
Same as Irrigation	
Recreation	Within Adams County
Same as Irrigation	
Aesthetic	Within Adams County
Same as Irrigation	
Right Nos. 67-11491 and 67-14877 are limited to the irrigation of a combined total of 23.0 acres in a single irrigation season.	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

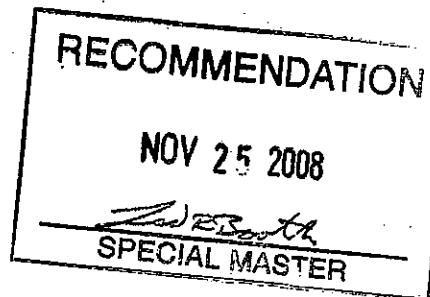
The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

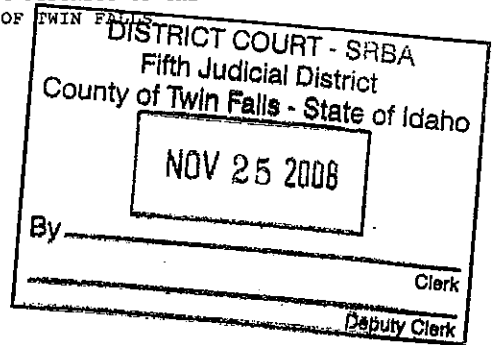


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 67-11491



NAME AND ADDRESS: CHESTER LEO MADSEN
EUNICE MADSEN
2073 N GALENA RD
COUNCIL, ID 83612

SOURCE: GROSSEN CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.36 CFS

PRIORITY DATE: 05/10/1918

POINT OF DIVERSION: T16N R01W S11 SENE Within Adams County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.36 CFS

PLACE OF USE: Irrigation Within Adams County
T16N R01W S10 SWNE 23.0
23.0 Acres Total

Right Nos. 67-11491 and 67-14877 are limited to the irrigation of
a combined total of 23.0 acres in a single irrigation season.

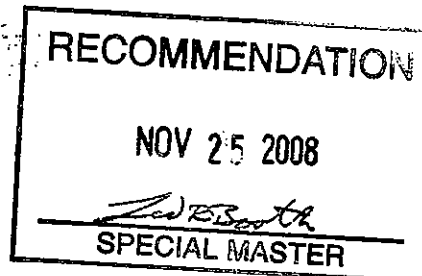
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

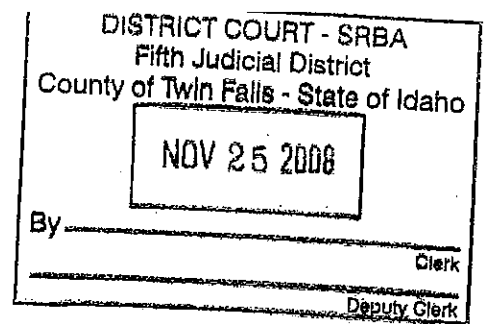
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication





IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

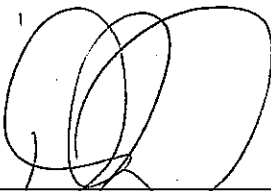
Water Right(s): 67-11491
67-14877

On November 25, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED November 25, 2008.



DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
NOV 25 2008	
By _____	Clerk
Deputy Clerk	

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

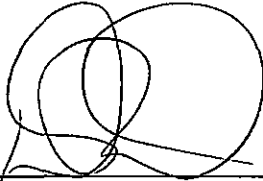
Water Right(s): 67-11491
67-14877

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on November 25, 2008, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CHESTER LEO MADSEN
EUNICE MADSEN
KEVIN ANDREW MADSEN
2073 N GALENA RD
COUNCIL, ID 83612
Phone: 208-253-4815



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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11/25/08